IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH POUSHA, 1928

Bail Appl..No. 7721 of 2006()

CRLMP.5499/2006 of SESSIONS COURT, KOLLAM
CRIME NO.1035/06 OF KUNDARA POLICE STATION.

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: PETITIONERS

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1. KARTHIKEYAN, AGED 65 YEARS,
S/O.PARAMU, PALAVILA VEEDU,
KANJIRODUMURI MULAVANA VILLAGE,
KUNDRA, KOLLAM.

2. RAJESH, AGED 25 YEARS,
S/O.KARTHIKEYAN, PALAVILA VEEDU,
KANJIRODUMURI, MULAVANA VILLAGE,
KUNDRA, KOLLAM.

3. SURESH, AGED 24 YEARS,
STUDENT, S/O.KARTHIKEYAN,
PALAVILA VEEDU, KANJIRODUMURI MULAVANA VILLAGE,
KUNDRA, KOLLAM.

4. ANEESH, AGED 23 YEARS,
S/O.K.ARJUNAN SONI, EDAKKODAM,
EZHUKONE, KAREEPARA VILLAGE, KOLLAM DISTRICT.

5. PUSHPARAJAN, AGED 35 YEARS,
BUSINESS, S/O.LATE N.ARJUNAN,
PUSHPAMANGALAM, AMBALAPPURAM,
ECT P.O., KOTTAKKARA.

BY ADV. SRI.JOSE PALLATTUKARAN

RESPONDENTS:

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.7721 OF 2006

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DATED THIS THE 3rd DAY OF JANUARY, 2007

O R D E R

Petitioners who are accused 1 to 5 in Crime No.1035/06 of Kundara Police Station for offences punishable under sections 143, 147, 148, 427, 323, 324, 326, 452 and 354 read with section 149 IPC, seek anticipatory bail. The occurrence took place in the night of 28.11.2006 in which the petitioners are alleged to have trespassed into the house of the de facto complainant and attacked him and other members of his family with sword, bricks, wooden stick, etc. injuring three other persons. The wife of the de facto complainant has also sustained fracture.

2. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate and file an application for regular bail, within 10 days from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

V.RAMKUMAR, JUDGE

dsn